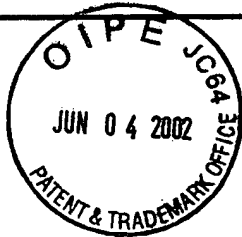


NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

407T-895030US



In re Application of

James D. Marks et al.

Application Number

09/250,056

Filed

February 12, 1999

For

INTERNALIZING ERB2 ANTIBODIES

Group Art Unit

1642

Examiner

Larry R. Helms

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, November 26, 2001, rejecting the following claims: 1, 3-22, 34.44, 53-54

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320

☒ Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 160.00

A statement of small entity status under 37 CFR 1.27:

☐ is enclosed.

☐ has already been filed in this application.

☐ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0893. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

☐ applicant.

☐ assignee of record of the entire interest.

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a): _____

Signature

Tom Hunter

Typed or printed name

May 24, 2002

Date

06/07/2001 AWONDAF1 00000146 500893 09250056

01 FC:219 160.00 CH

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this date: May 24, 2002

Typed or Printed Name

Chianti Appling

Signature

Date

05/24/02